

36.11.426 WATERSHED MANAGEMENT - WETLAND MANAGEMENT ZONES

(1) The department shall establish a WMZ when forest management activities are proposed within or adjacent to an isolated wetland or adjacent to a wetland found within an SMZ.

(a) For isolated wetlands greater than 0.25 acre the WMZ boundary shall be 50 feet.

(b) For isolated wetlands smaller than 0.25 acre the WMZ boundary shall only include the wetland itself.

(c) For wetlands found within a SMZ, the WMZ boundary shall be 50 feet.

(2) The department shall meet all requirements of ARM 36.11.301 through 36.11.312 when conducting forest management activities within wetlands that are located within or intercepting an SMZ boundary.

(3) The criteria the department will use to identify wetlands are:

- (a) plant species composition;
- (b) soil characteristics; or
- (c) depth of water table.

(4) The presence of one or more field indicators for any of the three following criteria shall be adequate for wetland designation:

(a) The department shall consider a site to meet the wetland plant species composition criteria for wetland identification if, under normal circumstances, more than 50% of the dominant plant species from all strata occupying the site are classified as:

- (i) obligate wetland;
- (ii) facultative wetland; or
- (iii) facultative species.

(b) The department shall consider a site to meet the wetland hydrology criteria if the area is:

(i) inundated either permanently or periodically to a depth at which emergent vegetation interfaces with open water; or

(ii) the soil has a frequently occurring high water table that remains within 12 inches of the surface for more than 14 consecutive days during the growing season of the prevalent vegetation.

(c) The department shall consider a site to meet the criteria for wetland soils if the soils occupying the site are classified as hydric soils.

(5) The department shall avoid the use and construction of roads in a WMZ.

(a) The department shall use existing roads or construct roads in a WMZ only if potential water quality impacts are adequately mitigated and wetland functions are maintained.

(6) The department shall restrict harvest and equipment operations within a WMZ.

(a) The department shall limit harvest and equipment operations within a WMZ to low-impact harvest systems and operations that do not cause:

- (i) excessive compaction;
- (ii) displacement; or
- (iii) erosion of the soil.

(b) The department shall limit operation of ground-based equipment in a WMZ to periods of:

- (i) low soil moisture;
- (ii) frozen soil; or
- (iii) snow covered ground conditions.

(c) Where ground based skidding through an isolated wetland is necessary, the department shall minimize the number of skidding routes and the number of passes.

(d) The department shall restrict cable yarding of trees from within a WMZ to systems that fully suspend harvested logs; or partially suspend logs when conducted during periods of:

- (i) low soil moisture;
- (ii) frozen soil; or
- (iii) snow covered ground conditions.

(7) The department shall design harvest prescriptions in a WMZ to protect and retain shrubs and sub-merchantable trees. (History: 77-1-202, 77-1-209, 77-5-201, 77-5-204, MCA; IMP, 77-5-116, 77-5-204, 77-5-206, 77-5-207, MCA; NEW, 2003 MAR p. 397, Eff. 3/14/03.)